

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Irrigation & C.A.D.Department – Rehabilitation – Provision of employment to the displaced persons or their dependents whose lands were acquired for construction of Major / Medium Irrigation Projects – further instructions – Issued.

IRRIGATION & C.A.D.(PW:LA.IV-R&R) DEPARTMENT

G.O.Ms.No. 247

Dated: 29-12-2008.

Read the following:-

- 1) G.O.Ms.No.98, Irrigation & CAD (PW) Department, dated 15-4-1986.
- 2) G.O.Ms.No.148, Irrigation & CAD (PW) Department, dated 1-8-1991.
- 3) G.O.Ms.No.266, Irrigation & CAD (PW) Department, dated 19-9-1999.
- 4) G.O.Ms.No.44, Irrigation & CAD (PW) Department, dated 31-3-1999.
- 5) Government Memo.No22905/Ser.VIII(2)/93-6, I.& C.A.D.(PW) Department, dt.23-11-1993.
- 6) Government Memo.No.22796/SRSP/2004-2, I.& C.A.D.(PW:SRSP) Department, dated 25-11-2004.
- 7) From the A.P.Administrative Tribunal, Hyderabad, Order dated 10-9-2008, 24-9-2008 and 19-11-2008 in O.A.No.2654/2006, 1362/2004, 585/2006, 5704/2006, 5748/2007, 6546/2007, 5681/2005, 6531/2007, 6533/2007, 397/2006 and 4687/2007.
- 8) From the Government Pleader for I&CAD, A.P. Administrative Tribunal, Hyderabad Lr.APAT/O.A.Nos.2654/06 & Others/MKR, dated 23-12-2008.

>><<

ORDER :

In the reference 1st read above, Government have issued orders for providing jobs to the displaced persons of the project / their dependents on a regular basis to keep such appointments out side the purview of the A.P.P.Service Commission and to reserve certain percentage of posts in the projects for the displaced persons to ensure their appointments with the following:-

- (i) Not more than 50% of the vacancies of the categories equivalent to Junior Assistants/Typists and the cadres below arising in Major & Medium Irrigation & Power Projects shall be filled up by the displaced families / or their dependants of a respective Project duly following the reservations for various categories viz., SC, ST, BC, Ex-servicemen, Physically Handicapped & Meritorious Sportsman etc.
- (ii) The candidates eligible for appointment under this scheme shall be the displaced persons or his/her son, daughter or spouse, there being no other earning member in the family.

.....2.

- (iii) Applications for appointment from the eligible candidates shall be made to the District Collector concerned within a period of one year from the date of actual displacement of the family. Preference shall be given with reference to the date of displacement and to these applicants whose houses and lands are acquired against those whose land or house only is acquired. The District Collectors shall draw up a list of such applications and forward the same to the Project authorities for appointment.
- (iv) All appointments made in this scheme shall be temporary to start with. However, the services of these employees will be regularised in the categories of posts whose pay is equal or less than that of Junior Assistants.
- (v) The temporary appointment of the persons employed under this scheme can be considered for regular appointment without subjecting them to normal process of recruitment without subjecting them to normal process of recruitment rules, provided they satisfy other conditions of recruitment prescribed in the rules, such as age, and educational qualifications etc. However, a formal notification may be made to the employment exchange and after filling up the vacancy, the appointing authority will furnish all relevant particulars of the candidates to the employment exchange covering the area.
- (vi) The regular appointment made under this scheme shall be kept outside the purview of the A.P.P.Service Commission. Necessary amendments to the A.P.P.Service Commission regulations shall be issued separately.

2. In the reference 2nd read above, Government have issued orders determining the qualifying age of the displaced persons for employment in terms of the reference 1st read above, the date of passing of award shall be taken into consideration.

3. In the reference 3rd read above, Government have issued orders constituting the Selection Committee with the following:

- | | | |
|--|---|-----------------|
| (1) District Collector concerned | : | Chairman |
| (2) Joint Collector (District concerned) | : | Member |
| (3) Chief Engineer of the concerned | : | Member-convenor |
- Project constituted by Government.

4. The above Selection Committee select the candidates for appointment in the concerned Irrigation projects as per the reference 1st read above.

....3.

5. In the reference 4th read above, Government have issued orders modifying the orders issued in the reference 2nd read above, determining the qualifying the age of the displaced persons for employment with reference to the date of the award or date of filling up of vacancy which ever is later and also ordered that the appointment of the displaced persons in terms of G.O. 3rd read above shall continue as a measure of rehabilitation on the following conditions:-

- (1) The existing selection methodology in G.O.Ms.No.266, Irrigation & CAD (PW) Department, dated 19-9-1994 shall be followed and where it does not exists, it should be evolved for uniformity through out the State;
- (2) The posts shall be filled up not more than 50% of the arising vacancies against the regular sanctioned posts but not in the posts sanctioned in workcharged or contingent or otherwise for all the Major and Medium irrigation Projects;
- (3) The list of selected candidates for appointment under displaced persons quota should be sent to Government for its approval before the issue of appointment letters.

6. In the reference 5th read above, Government have informed to the Chief Engineer, Sriramsagar Project, Hyderabad that Sri M.Prabhakar Reddy is eligible for appointment under displaced persons quota even now as he has applied for appointment before crossing the age limit prescribed and as the delay in appointment is on administrative reasons. If he is otherwise qualified etc.

7. In the reference 6th read above, Government have issued instructions to the Administrator-cum-Chief Engineer, Sriramsagar Project, Hyderabad to follow the orders in the references 4th and 5th read above in appointing the displaced persons effected on submergence of lands to the project and also in appointing the land oustees in various other departments to follow in the reference 1st read above.

8. Sri S.Srinath, Un-employee, Ganjipeta road, Gadwal, Mahabubnagar District have filed O.A.No.2654/2006 and other O.As. in A.P.Administrative Tribunal seeking employment under displaced persons quota. The full bench of the Hon'ble Tribunal has observed that a reading of the references 1st to 6th read above is further leading to confused State. So, the full bench of the Tribunal felt the need to know the stand of the State on this aspect and also to know what practice is prevailing in all the projects situated in various districts in the State and the full bench has also requested to file a comprehensive affidavit touching the matters in question and spell out the policy of the State about employment of the displaced persons, in the light of the Government Orders in the reference 1st read above.

.....4.

9. The displaced persons encounter difficulty / grief at the time of passing award or when his property is taken possession by the Government. Hence, it is but natural that any benefit that is intended shall be relevant to and based on the conditions prevailing then and not at a later point of time when such a benefit may actually be realized. Accordingly, Government have taken a decision that displaced persons should be eligible either on the date of passing award or on the date of taking possession (advance possession as the case may be) or during the interregnum period and accordingly the G.O.Ms.No.44, I&CAD (PW:SRSP.I) Department, dated 31-3-1999 has to be modified.

10. Government have careful examination of the above matter, decided to modify the G.O.Ms.No.44, I&CAD (PW:SRSP.I) Department, dated 31-3-1999 with the following:

A M E N D M E N T

Existing	Read as
In line 3 of Para-3: the Government hereby accord to determine the qualifying age of the displaced persons for employment with reference to the date of the award or date of filling up of vacancy which ever is later.	In line 3 of Para-3: the Government hereby accord to determine the qualifying age of the displaced persons for employment with reference to the date of the award or the date of taking possession (advance possession as the case may be) or during the interregnum period.

11. All the District Collectors in the State / Chief Engineers of the Projects shall be requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI,
PRINCIPAL SECRETARY TO GOVERNMENT (PROJECTS)

To
All District Collectors / Joint Collectors in the State.
All Engineer-in-Chiefs /Chief Engineers of Irrigation Projects in the State.
Copy to:
The Commissioner (R&R), Irrigation & C.A.D.Department,
Budda Bhavan, Secunderabad.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER